

MINUTES

**I. MONTHLY MEETING AT 7:30 PM**

- a. Call to Order – Meeting was called to order by John Anastasi at 7:38p.m. Noted that there is a quorum.
- b. Roll Call – Gail Dickinson, Dorothy Durst, John Anastasi, Doug Porter, Joe Adiletta, Travis Serrine, Syd Blodgett, Delia Fey (Town Planner), Laura Cournoyer-Gagne (Recording Secretary)
- c. Absent – Jeff Gordon, Fred Rich, Dexter Young

**II. DESIGNATION OF ALTERNATES – Doug Porter**

**III. CHAIR’S REPORT – John Anastasi, Vice Chair, is filling in for Chair Jeff Gordon who is away.**

**IV. MINUTES**

- a. Regular Meeting Minutes of February 19, 2015
- b. Special Meeting Minutes of March 5, 2015

Minutes from March 12, 2015 not ready. **MOTION TO ACCEPT MEETING MINUTES FROM BOTH MEETINGS MADE BY J. ADILETTA, SECONDED BY T. SIRRINE. GAIL DICKINSON ABSTAINED. MOTION PASSED.**

**V. CITIZENS COMMENTS – NONE**

**VI. PUBLIC HEARINGS AT 7:45 PM**

**a. #623-12-14 Thomas & Joy Beatty, New Sweden Rd (Map 5783, Block 69, Lot 3-1) – 2 lot subdivision**

Bruce Woodis, L.S., KWP Associates representing applicant (Thomas Beatty present). Drawings are provided, which help to clearly illustrate areas of the development. Outstanding from last month’s meeting: 1) Proposing fee in lieu of conservation land or easement, appraisal required and was submitted. Land prior to subdivision as appraised at \$80,000 and the commission is entitled to up to 10% for fee. 2) Landscaping, E&S controls in and around the proposed septic system. Additional notations were supplied on the colorized map and step by step procedure submitted for install of septic system, E&S controls. Tree clearing will be limited, as shown. All procedures proposed were taken from DEEP 2002 CT guidelines for E&S controls. J. Anastasi opens hearing up to the public. Conservation Commission has not weighed in yet as their last meeting was cancelled due to illness. Since the request is for a fee in lieu, it is required that the CC review and comment in their advisory capacity. Questions from PZC re: signature from soil scientist on plan and documented waiver requests.

**MOTION TO CLOSE PUBLIC HEARING MADE BY J. ADILETTA, SECONDED BY T. SIRRINE.** Discussion: D. Porter opens discussion on the motion. If hearing is closed, applicant can’t speak if conditions imposed. He suggests bringing possible conditions up for discussion so the applicant will have a chance to respond. Appraiser does not have MAI certification that our regulations do require. Tom Beatty comments about previous appraisal being done by his bank being much higher.

**MOTION WITHDRAWN BY J. ADILETTA.** There is a discussion on designation of certified appraiser. Extension could be done for up to 65 days to wait for report from Conservation Committee. Applicant could request a waiver on the credentials of the licensed appraiser so that the current one could be used, or they could have a person with the MAI certification review and sign off on the current appraisal. Value appears reasonable. Straw poll is taken to determine whether the document itself would be acceptable. Stroll poll taken – G. Dickinson abstains and everyone else ok with the report. Conservation Commission input will be required since it is part of the regulations and there is discussion on timeline, what the Conservation District would be commenting on. Wetlands Agency has given approval. B. Zimmerman-Smith stated the meeting is on March 23<sup>rd</sup> and could get information to PZC by March 26<sup>th</sup>. **MOTION TO KEEP PUBLIC HEARING OPEN UNTIL MARCH 26<sup>TH</sup> (WOULD BE SPECIAL MEETING) IF NO QUORUM ON THIS DATE, THE APPLICANT WOULD BE APPROVED AUTOMATICALLY. MOTION FOR SPECIAL PZC MEETING @ 7:30PM ON MARCH 26<sup>TH</sup> MADE BE J. ADILETTA, SECONDED BY S. BLODGETT.** Straw poll to determine if there will be enough members to attend a special meeting on March 26: Not enough present to approve waivers. **MOTION WITHDRAWN. WRITTEN 35-DAY EXTENSION REQUEST BEING SUBMITTED TO PZC BY APPLICANT. MOTION TO CONTINUE TO NEXT REGULAR MEETING DATE OF APRIL 16, 2015 MADE BY D. PORTER, SECONDED BY T. SIRRINE. MOTION PASSED. CONTINUED PUBLIC HEARING TO APRIL 16, 2015 AT 7:45PM. G. DICKINSON ABSTAINED.**

**b. #624-2-15 Patrick J. & Erica J. O’Brien, 994 Rte 169 (Map 2130, Block 30, Lot 6) – 2 lot subdivision – D. Porter recused from this item.** Required legal notices placed in Wdstck Villager on 3/6/15 and 3/13/15 and property posted. Jeff Stefanik,

P.L.S., (Patrick & Erica O'Brien present) family transfer, to create lot for new house on the west side of property. Documents submitted: asking for 2 waivers, no wetlands on site, notification to Little River Watershed Group, approval from Power Company approving utility location, DOT approval for driveway entrance and site line, letter from Fire Marshall, photo of sign posted, letter from Board of Health. 1) Waiver: Landscape architect, property is very secluded. 2) New driveway, because current driveway is very steep, would like own driveway instead of shared, curb cut is DOT approved. \$6870.00 Bond.

**MOTION TO CLOSE HEARING MADE BE T. SIRRINE, SECONDED BY J. ADILETTA.** No comments from public, PZC opens discussion, bond amount came from design professionals, **MOTION TO CLOSE PUBLIC HEARING PASSED. D. Porter rejoined meeting.**

**c. #11515 Accessory Apartment Zoning Text Amendment Art. II Definitions (revised), Art. IV C.2 Dimensional Requirements (revised), Art. IV C.3 Standards, a.i (revised), Art. IV H.2.a. ii (revised) –** Legal notices published in Wdstck Villager on 3/6/15 and 3/13/15. This Public Hearing was originally scheduled for earlier and all notifications that are required were resent to all parties concerned. Public comment: Reva Seybolt, Chair, AG Commission, requests: PZC consider creating an agricultural labor housing section within the accessory apartment zoning text to meet Woodstock's agricultural needs. The AGC will work with PZC on changes that are needed. Douglas Young, Woodstock Orchards: regulations are very strict for laborers housing. Wording for this purpose should not be noted as apartments, should be something more specific to farming needs. Paul Miller, Dairy Farm: farm labor housing needs to be included and addressed, restrictions should be limited. Possibly have more meetings to address. Doug Young: living quarters needs to be provided for laborers. Paul Miller: look at possibility of having to build housing for family members. No specific deadline for changes: work with AG Commission to change amendment, possibly new section to regulations. J. Adiletta: originally proposed for family member to have place to live i.e. child or parents, agriculture concerns not considered with changes being made, should be separate from apartments. D. Fey: not specific to elderly or relatives. G. Dickinson: agree that accessory apartments should be separate issue from AG housing. T. Sirriner: agree to have separate from apartments. D. Porter: AG does need addressing, may take more than one meeting, but should probably be separate. Dimensional requirements: just take out top line, requiring  $\frac{3}{4}$  of an acre. Standard section, change to propose that not to exceed 750sq.ft. D. Porter: Could be problem with 750sq.ft., may have to adjust for future needs. Lake District also changing to 750sq.ft. but has to have 2 acre minimum. **MOTION TO CLOSE PUBLIC HEARING MADE BY D. PORTER, SECONDED BY J. ADILETTA. MOTION PASSED.**

## VII. NEW BUSINESS

- a. #619-07-14 David Copeland, 224 English Neighborhood Rd – 2 lot subdivision – request for 2<sup>nd</sup> 90-day Mylar filing extension: **MOTION TO ACCEPT EXTENSION MADE BY D. PORTER, SECONDED BY T. SIRRINE. MOTION PASSED.**
- b. Woodstock Orchards, LLC, 494 Rte 169 – Request for Certificate of Approval of Location: Bakery/Food Manufacturing License: D. Fey: Law passed that Baker/Food Manufacturer obtain license from state, and state statute requires certificate of location approved from PZC. Woodstock Orchards asking for approval, would like to make baked goods using farm grown products within the existing building. Douglas Young: addition is in current building. **MOTION TO APPROVE THE CERTIFICATE OF APPROVAL MADE BY D. PORTER, SECONDED BY T. SIRRINE. MOTION PASSED.**
- c. Jason Lavallee, Fabyan Woodstock Rd – Request for confirmation of free pplit in Woodstock: property's on west side of road & extends into Thompson. Proposed for Subdivision in Thompson (Woodstock: map 5156, block 07, lot 08; Thompson: map 5 block 86 lot 7): D. Porter: Mr. Lavallee does work for him, wanted to be sure there would be no conflict. None noted. D. Fey: showing map of property, can do a free split, also discussed with Town Attorney, didn't see problem. Brought to PZC because it concerns two towns. Bruce Fitzback, LLS, property in Woodstock to be buildable and the part in Thompson would go for subdivision to create additional lots. **MOTION TO APPROVE MADE BY D. PORTER, SECONDED BY T. SIRRINE. MOTION PASSED.**
- d. Reva Seybolt, 978 Rte 169 – Request for clarification on eligibility of free split: property was split years ago, and is now back to one property. Would like to know if she has retained the right to split again at a later date. Beth Zimmerman-Smith, Conservation Commission, should be ok. **MOTION TO AGREE THAT SITE CAN BE FREE SPLIT AT A LATER TIME MADE BY D. PORTER, SECONDED BY J. ADILETTA. MOTION PASSED, D. DURST OPPOSED.**
- e. C.G.S. 8-24 Review of Woodstock Public School Roof Replacement: Reading of report: D. Fey: Confirmed with Treasurer that bond counsel is requiring state-24 review of roofs of elementary and middle schools. Reading by Secretary, D. Durst: Letter of the Town: Resolution of PZC regarding the Woodstock elementary and middle schools Roof Replacement March 19, 2015.

RESOLVED, that the Planning and Zoning Commission of the Town of Woodstock approve the following projects pursuant to the provisions of Section 8-24 of the General Statutes of Connecticut. Replacement of all or portions of the roofs of the Woodstock Elementary School and Woodstock Middle School, and related improvements which may include but are not limited to rooftop mechanical equipment, gutter and drainage systems, and positive air ventilation system improvements; provided that the projects are subject to and shall comply with all applicable zoning, site plan,

subdivision, inland wetland and other laws, regulations and permit approvals, and this resolution shall not be a determination that the projects are in compliance with any such applicable laws, regulations or permit approvals.

**MOTION TO APPROVE MADE BY G. DICKINSON, SECONDED BY T. SIRRINE. MOTION PASSED.**

#### **VIII. PRELIMINARY DISCUSSION**

a. #547-06-08 Charles Rosenfield, Rocky Hill & Ojala Rds, approved conservation subdivision: Preliminary Proposal to modify subdivision: D. Fey: Mr. Rosenfield had been approved a few years ago for subdivision and list new road with new driveways. At this time, no homes, driveways, or road has been built. Proposal for someone to buy the land, and merge land into one property with restrictions against development. Ernest Cotnoir, ESQ, 163 Providence St, Putnam, CT represents Mr. Rosenfield, who is also present. Beth Zimmerman-Smith, purchaser of property, also present. Would like to merge land into one parcel to put into deed as conservation easement to better protect property. Land to be transferred to a land trust at some point in the future. Make one large easement, no residential or commercial development. Conservation and working lands. Going to go forward with paperwork for modification. B. Zimmerman-Smith: 56 acres will be put into one piece of property rather than 4 separate sections and then eventually put into land trust. Conservation easement will be willed to the land trust. Need to check with Attorney to see if re-subdivision or modification of subdivision. No action at this time.

#### **IX. OLD BUSINESS**

a. #623-12-14 Thomas & Joy Beatty, New Sweden Rd (Map 5783, Block 69, Lot 3-1) 2 lot subdivision: Rescheduled  
b. #624-2-15 Patrick J. & Erica J. O'Brien, 994 Rte 169 (Map 2130, Block 30, Lot 6) – 2 lot subdivision: D. Porter recused from this item. **MOTION TO APPROVE MADE BY G. DICKINSON, SECONDED BY T. SIRRINE. MOTION CARRIED. Separate motion for waivers: Not enough commissioners to approve waivers. MOTION TO CARRY OLD BUSINESS TO APRIL 16<sup>TH</sup>, 2015 MADE BY J. ADILETTA, SECONDED BY G. DICKINSON. RECONSIDERATION OF MOTION MADE BY G. DICKINSON, SECONDED BY T. SIRRINE. MOTION PASSED. PROPOSAL TO TABLE THE WAIVERS UNTIL THERE ARE ENOUGH COMMISSIONERS TO VOTE ON THE WAIVERS. D. PORTER REJOINS, MOTION TO ACCEPT THE WAIVERS FOR LANDSCAPE ARCHITECT MADE BY G. DICKINSON, SECONDED BY J. ADILETTA. MOTION PASSED. MOTION TO AUTHORIZE ADDITIONAL CURB CUT, MADE BY J. ADILETTA, SECONDED BY G. DICKINSON. MOTION PASSED.**

Standard stipulations of the Woodstock Planning and Zoning Commission for Subdivisions:

1. In evaluating the subdivision application, the Planning and Zoning Commission has relied upon information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete or inaccurate, this subdivision approval shall be modified, suspended or revoked.
2. The final subdivision plans are to be signed and stamped (ink and impression) by the Professional Engineer, Land Surveyor and Landscape Architect.
3. The Applicant shall provide all legal documents for the following, as applies, to the Commission for review and approval. Each such document shall be executed by the subdivision in the approved form prior to endorsement of the subdivision mylar by the Chairman.
  - a. Conservation Easements
  - b. Common Driveways
  - c. Public Road Widening
  - d. Fire Protection Easements
  - e. Drainage Easements
  - f. Text for Homeowner's Association / Articles of Incorporation.
4. The applicant shall comply with the requirements of Connecticut General Statutes Section 8-25 regarding the filing and recording of the subdivision plans.
5. Any person, firm or corporation selling or offering any subdivided lot for sale prior to the filing and recording of the endorsed final subdivision mylar and prior to the satisfaction of all conditions of subdivision approval, shall be fined not more than five hundred dollars (\$500) for each lot sold or offered for sale, per CGS 8-25 or as the statute may be amended.
6. No subdivision plan shall be presented for recording or filing to the town clerk or other officer authorized to record or file plans until its approval has been endorsed thereon by the Chairman or Secretary of the Commission, and the filing or recording of a subdivision plan without such approval shall be void.
7. Fire suppression systems/methods shall be installed and confirmed by the ZEO before a Certificate of Occupancy can be issued.
8. The plans submitted to the Commission and duly approved shall closely reflect the actual position of the structures to be built on each lot.
9. Bonding requirements: Must be posted before the mylars can be signed.

The subdivision bonds shall be set by the Commission. They shall be in the amounts proposed in the Applicant or an amount recommended by the Commission's consulting engineer, whichever shall be less.

- a. The subdivision bond shall be in the amount of \$ \_\_\_\_ 6870.00 \_\_\_\_

- b. The Erosion and Sediment Control Bond shall be in the amount of \$ \_\_\_\_0.00\_\_\_\_
- c. If required, the Landscaping Bond shall be in the amount of \$ \_\_\_\_0.00\_\_\_\_
- d. The Public Improvements Bond shall be set in the amount of \$ \_\_\_\_0.00\_\_\_\_

Stipulations/Conditions suggested by the Fire Marshal:

- a. All stipulations recommended by the Fire Marshall have been integrated into the Formal Application ( )
- b. The following stipulations shall be required:

Stipulations/Conditions suggested by the Highway Foreman:

- a. All stipulations recommended by the Highway Foreman have been integrated into the Formal Application
- b. The following stipulations shall be required:

Conditions warranted by the particulars of the Application:

Upon determining the above stipulations to be necessary, the Woodstock Planning and Zoning Commission hereby requires their inclusion in the approval of this subdivision application.

**MOTION TO APPROVE SUBDIVISION APPLICATION MADE BY J. ADILETTA, SECONDED BY G. DICKISON. MOTION PASSED.**

c. #11515 Accessory Apartment Zoning Text Amendment Art. II Definitions (revised), Art. IV C.2 Dimensional Requirements (revised), Art. IV C.3 Standards, a.i (revised), Art. IV H.2.a. ii (revised): **MOTION FOR COMMISSION TO AMENDED TEXT AMENDMENTS EFFECTIVE APRIL 30, 2015 MADE BY D. DURST, SECONDED BY D. PORTER. MOTION PASSED. PROVISIONS ACCEPTED, MOTION CARRIED.** D. Durst proposed that the PZC and the AG Commission meet to have discussion regarding housing.

**X. ZEO REPORT**

- a. Report on Zoning Enforcement – February/March 2015: 6 Lyon Rd: property owner had until the 15<sup>th</sup> to respond to attorney's letter, as of 3/12/15, no response.

**XI. BUDGET REVIEW AND BILLS - NONE**

**XII. CITIZENS COMMENTS - NONE**

**XIII. CORRESPONDENCE**

- a. Christopher McMahon, correspondence on how horse businesses are agriculture

**XIV. MINUTES OF OTHER BOARDS AND COMMISSIONS – NONE**

**XV. OTHER**

- a. Annual Legal Training Session on April 2<sup>nd</sup>, 2015 @ 7:30 pm (No Subcommittee Meeting)

**XVI. ADJOURNMENT**

**MOTION TO ADJOURN MADE BY J. ADILETTA, SECONDED BY T. SIRRINE. MOTION PASSED AT 10:03 PM.**

Respectfully submitted,

Laura Cournoyer-Gagne, Recording Secretary

**DISCLAIMER:**

***These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's minutes for approval/amendments. Please note that the audio recording is the legal record of the meeting.***